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Attorney Reference Number 4239-56113
Application Number 09/676,718

1.23.03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gladyshev et al.

Application No. 09/676,718

Filed: September 28, 2000

For: MAMMALIAN SELENOPROTEIN
DIFFERENTIALLY EXPRESSED IN TUMOR
CELLS

Examiner: Stephen L. Rawlings, Ph.D.

Date: January 7, 2003

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Art Unit: 1642

CERTIFICATE OF MAILING

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Agent for Applicants

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RESPONSE TO RESTRICTION REQUIREMENT

This is a response to the Restriction requirement dated December 3, 2002. A one-month period for response was set, making a reply due by January 3, 2003. A request for a one-month extension of time and the appropriate fee are enclosed, now making the reply due by February 3, 2003.

✓
Applicants provisionally elect group I (claims 51-53, 55, 60, 63, 64, 66-77 and 80-82), with traverse.

Remarks

The Examiner has restricted pending claims 51-53, 55, 60, 63-64 and 66-82 into eight groups. However, the restriction requirement incorrectly restricted subsequences into separate claim groups, and restricted dependent claims from independent claims. Reconsideration of the restriction requirement is therefore requested.

As discussed on page 4 of the previous Amendment and Response to Restriction Requirement filed by the Applicants on September 3, 2002, SEQ ID NO: 4 is a subsequence of SEQ ID NO: 1 (amino acids 27-162 of SEQ ID NO: 1 are shown as SEQ ID NO: 4). Therefore,